

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

FORMULATED MATERIALS, LLC,)
an Oklahoma limited liability company,)
)
Plaintiff,)
)
v.) Case No. CIV-24-388-SLP
)
HICO CONCRETE, INC.,)
a Tennessee corporation,)
)
Defendant.)

O R D E R

Before the Court is Plaintiff's Motion for Attorney Fees and Post-Judgment Interest [Doc. No. 19]. The Court previously granted Plaintiff's Motion for Default Judgment and awarded Plaintiff damages on its breach of contract claim in the amount of \$198,459.29, exclusive of any award of interest, costs or attorney fees. *See Order* [Doc. No. 18]. The Court also found Defendant was liable to Plaintiff for a reasonable attorney fee, but directed Plaintiff to supplement its request with an affidavit to support the amount and reasonableness of the requested attorney fee. *See id.* Additionally, the Court directed Plaintiff to submit a more detailed request in support of any award of prejudgment and post-judgment interest. *Id.*

Plaintiff has now supported its request for a reasonable attorney fee with an affidavit and seeks an award of fees in the amount of \$5,772.50. Upon review and considering the applicable factors as more fully set forth in Plaintiff's Motion, the Court finds the attorney fee requested is reasonable.

Plaintiff no longer requests an award of prejudgment interest. But Plaintiff does request an award of post-judgment interest. Although Plaintiff seeks post-judgment interest at the statutory rate of 9.50% pursuant to Okla. Stat. tit. 12, § 727.1, the award of post-judgment interest is governed by federal law. *See Youngs v. American Nutrition, Inc.*, 537 F.3d 1135, 1146 (10th Cir. 2008) (citing 28 U.S.C. § 1961(a)). The Court awards post-judgment interest as provided by § 1961(a).

IT IS THEREFORE ORDERED that Plaintiff's Motion for Attorney Fees and Post-Judgment Interest [Doc. No. 19] is GRANTED. A separate default judgment shall be entered.

IT IS SO ORDERED this 12th day of February, 2025.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE